IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

FRIDAY, THE 29TH JUNE 2007 / 8TH ASHADHA 1929

WP(C).No. 20020 of 2007(G)

PETITIONER:

A.M. ABDUL MAJEED, S/O.ABDUL LATHEEF,
AGED 45 YEARS, RIYAS MANZIL, THOTTAKKARA,
OTTAPALAM.

BY ADV. SRI.SANTHEEP ANKARATH

RESPONDENTS:

OTTAPALAM MUNICIPALITY,
REP. BY ITS SECRETARY, MUNICIPAL OFFICE,OTTAPALAM.

BY ADV.SRI.K.K.CHANDRAN PILLAI

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K. Basheer, J.

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W.P(C) No.20020 of 2007

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Dated this the 29th day of June , 2007.

J U D G M E N T

Having heard learned counsel for the petitioner and the learned Standing Counsel who appears for respondent No.1, I am satisfied that this writ petition can be disposed of at the admission stage itself.

2. In view of the limited prayer made by the learned counsel for the petitioner that the petitioner will be satisfied if he is given instalment facility to pay off the dues, I do not deem it necessary to consider the merit of the contentions raised by the petitioner. Learned Standing Counsel submits that the Municipality is prepared to give reasonable time and instalment facility to the petitioner to pay off the dues.

In the peculiar facts and circumstances, I am satisfied that petitioner can be allowed to pay the outstanding dues in 8 equal monthly instalments, the first of which shall be paid on or before July 16, 2007 and the remaining 7 instalments shall be paid on or before the 16th of every succeeding month. It is made clear that if the petitioner makes default in payment of any single instalment, it will be open to the Municipality to recover the entire amount in lump from the petitioner without any notice. It will also be open to the Municipality to take recourse to other remedies to enforce its right under the contract. The writ petition is disposed of as above.

A.K.BASHEER, JUDGE

vps.